

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
SERGEI POTAPENKO AND IVAN  
TURÕGIN,  
  
Defendants.

Case No. CR22-185RSL

ORDER GRANTING  
STIPULATED MOTION TO  
CONTINUE TRIAL AND  
SET A CASE SCHEDULING  
ORDER

This matter comes before the Court on Defendants’ “Stipulated Motion to Continue Trial and Set Case Scheduling Order” (Dkt. # 136). Having considered the facts set forth in the motion, and defendants’ knowing and voluntary waivers (Dkts. # 137, # 138), the Court finds as follows:

1. The Court adopts the facts set forth in the stipulated motion: in particular, that the case is quite complex, involving a series of alleged fraudulent solicitations related to cryptocurrency based on millions of transactions and thousands of victims. Both parties require additional time to investigate the allegations and review discovery. Accordingly, the Court finds that a failure to grant a continuance would deny counsel, and any potential future counsel, the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

1           2.       The Court finds that a failure to grant a continuance would likely result in a  
2 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

3           3.       The Court finds that the additional time requested between the current trial date of  
4 March 17, 2025, and the proposed trial date of May 19, 2025 is a reasonable period of delay.  
5 The Court finds that this additional time is necessary to provide defense counsel reasonable time  
6 to prepare for trial, as defendants have requested more time to prepare for trial, to continue to  
7 investigate the matter, to gather evidence material to the defense, and to consider possible  
8 defenses. The additional time requested between the current trial date and the new trial date is  
9 necessary to provide counsel for the defendants the reasonable time necessary to prepare for  
10 trial, considering all of the facts set forth above.

11           4.       The Court further finds that this continuance would serve the ends of justice, and  
12 that these factors outweigh the best interests of the public and defendants in a speedier trial,  
13 within the meaning of 18 U.S.C. § 3161(h)(7)(A).

14           5.       Defendants have signed waivers indicating that they have been advised of their  
15 right to a speedy trial and that, after consulting with counsel, they have knowingly and  
16 voluntarily waived that right and consented to the continuation of their trial to a date up to and  
17 including June 2, 2025 (Dkts. # 137, # 138), which will permit their trial to start on May 19,  
18 2025.

19           IT IS HEREBY ORDERED that the trial date shall be continued from March 17, 2025  
20 to May 19, 2025, and pretrial motions are to be filed no later than November 1, 2024. The  
21 parties' responses are due no later than November 26, 2024, any replies are due no later than  
22 December 13, 2024. The Court also adopts the parties stipulated case scheduling order with  
23 the following deadlines:<sup>1</sup>

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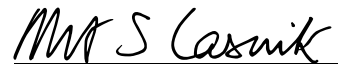
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<sup>1</sup> With respect to deadlines not agreed upon by the parties, the Court applies the deadlines  
28 outlined in Appendix A of the Criminal Local Rules.

Event	Deadline
Government's Expert Disclosures	December 6, 2024
Defendants' Expert Disclosures	February 7, 2025
Government's Rebuttal Expert Disclosures, Exhibit List and Witness List	March 21, 2025
Government's Production of Jencks Act Materials and Rule 26.2 Witness Statements (with Continuing Obligation Pursuant to Rule 16(c))	April 7, 2025
Completion of Rule 15 Depositions	April 11, 2025
Government's Trial Brief and Jury Instructions	April 18, 2025
Motions <i>in Limine</i>	April 18, 2025
Defendants' Exhibit List and Witness List	April 21, 2025
Defendants' Trial Briefs and Jury Instructions	May 2, 2025
Responses to Motions <i>in Limine</i>	May 2, 2025
Replies to Motions <i>in Limine</i>	May 9, 2025

IT IS FURTHER ORDERED that the period of time from the current trial date of March 17, 2025, up to and including the new trial date, shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).

DATED this 5<sup>th</sup> day of September, 2024.



Robert S. Lasnik

United States District Judge